

FORM PTO-1390  
(Rev. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket Number

JAB1747USPCT

U.S. Application No. (if known, see 37 CFR 1.5)

**10/524123**International Application No.  
PCT/EP03/50377International Filing Date  
August 13, 2003Priority Date Claimed  
August 15, 2002

Title of Invention

**FUSED HETEROCYCLIC ISOXAZOLINE DERIVATIVES AND THEIR USE AS ANTI-DEPRESSANTS**

Applicant(s) for DO/EO/US

Jose Ignacio Andres-Gil, Manuel Jesus Alcazar-Vaca, Jose Manuel Bartolome-Nebreda, Francisco Javier Fernandez-Gadea, Margaretha Henrica Maria Bakker, Antonius Adrianus Hendrikus Petrus Megens

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau), as well as the Published Application No. WO 2004/018483 A1
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ An Application Data sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☒ A power of attorney
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Express Mail Certificate

U.S. Application No. <b>10/524123</b>		International Application No. PCT/EP03/50377		Attorney's Docket Number JAB1747USPCT	
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee .....		\$300.00			
<input checked="" type="checkbox"/> b) Examination fee .....		\$200.00			
<input checked="" type="checkbox"/> c) Search fee .....		\$500.00			
<b>TOTAL OF ABOVE CALCULATIONS=</b>				<b>\$1000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50=		\$250.00		
				\$ 1000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate	\$	
Total Claims	12 - 20 =	0	x \$ 50.00	\$ 0	
Independent Claims	1 - 3 =	0	x \$ 200.00	\$ 0	
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$1000.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				+	
<b>SUBTOTAL</b>				<b>\$1000.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE</b>				<b>\$1000.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0	
<b>TOTAL FEES ENCLOSED</b>				<b>\$1000.00</b>	
				Amount to be refunded: \$	
				charged: <b>\$1000.00</b>	

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 10-0750/JAB1747USPCT/HBW in the amount of \$1000.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0750/JAB1747USPCT/HBW. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

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Hal Brent Woodrow  
Signature

Hal B. Woodrow  
Name

32,501  
Registration Number

Dated: 10 Feb. 2005

10/524123

DT05 Rec'd PCT/PTO 10 FEB 2005

Docket No. JAB1747USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jose Ignacio Andres-Gil et al.

For: FUSED HETEROCYCLIC ISOXAZOLINE DERIVATIVES AND THEIR USE AS  
ANTI-DEPRESSANTS

Express Mail Certificate

"Express Mail" mailing number: EV 488 942 339 US

Date of Deposit: February 10, 2005

I hereby certify that this entry into the National Phase pursuant to 35 USC 371 contains complete application:

<input checked="" type="checkbox"/>	Express Mail Certificate	(1 page)
<input checked="" type="checkbox"/>	Return Receipt Postcard	(1 page)
<input checked="" type="checkbox"/>	PCT FORM 1390 Transmittal	(2 pages & 2 copies of same)
<input checked="" type="checkbox"/>	Copy of International Application as filed	(50 pages)
<input checked="" type="checkbox"/>	Power of Attorney	(6 pages)
<input checked="" type="checkbox"/>	Declaration of Inventors	(14 pages)
<input checked="" type="checkbox"/>	Preliminary Amendment	(9 pages)
<input checked="" type="checkbox"/>	Information Disclosure Statement	(4 pages)
<input checked="" type="checkbox"/>	Form PTO-1449	(1 page)
<input checked="" type="checkbox"/>	Form 609D	(1 page)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee; service under 37 CFR 1.10 on the date indicated above is addressed to the Mail Stop: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450..

Margaret Turner

\_\_\_\_\_  
(Typed or printed name of person mailing paper or fee)

Margaret Turner  
\_\_\_\_\_  
(Signature of person mailing paper or fee)